

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ELI LILLY AND COMPANY,

Plaintiff,

v.

SUN PHARMACEUTICAL INDUSTRIES
LIMITED, SANDOZ INC., MYLAN
PHARMACEUTICALS INC., APOTEX INC. and
AUROBINDO PHARMA LTD.,

Defendants.

Civil Action No. 07-3770 (DMC)

NOTICE OF DEFENDANTS UNDER 35 U.S.C. § 282

Pursuant to the provisions of 35 U.S.C. § 282, Defendants, Sandoz Inc., Mylan Pharmaceuticals Inc., Apotex Inc., Aurobindo Pharma Ltd. and Sun Pharmaceutical Industries Limited, hereby give notice of the following patents, foreign patent publications and literature publications as follows:

I. United States Patents

Patent Number	Issue Date	Inventor
U.S. Patent No. 4,314,081	February 2, 1982	Molloy et al.
U.S. Patent No. 4,018,895	April 19, 1977	Molloy et al.
U.S. Patent No. 4,626,549	December 2, 1986	Molloy et al.
U.S. Patent No. 5,441,985	August 15, 1995	Foreman
U.S. Patent No. 4,194,009	March 18, 1980	Molloy et al.
U.S. Patent No. 4,847,092	July 11, 1989	Thakkar et al.
U.S. Patent No. 5,281,624	January 25, 1994	Gehlert et al.

II. Foreign Patent Publications

Patent Number	Issue Date	Inventor
Canadian Patent No. 1,181,430	January 22, 1985	Foster

STPAT00945406-08 1/17/97 Communication from European Patent Office in the prosecution history of European Patent Application No. 96300157.3	January 17, 1997	
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III. Publications

Baldessarini R., <i>Chemotherapy In Psychiatry</i> . Cambridge, MA: Harvard University Press, 4:130-234 (1985) (DX 77)
Biederman, <i>et al.</i> , <i>Desipramine in the Treatment of Children with Attention Deficit Disorder</i> , J. Clin. Psychopharmacol., 6:359-363 (1986) (DX 296)
Biederman, <i>et al.</i> , <i>A Double-Blind Placebo Controlled Study of Desipramine in the Treatment of ADD: I. Efficacy</i> , J. Am. Acad. Child Adolesc. Psychiatry, 28, 777-784 (1989) (DX 15, 165)
Biederman <i>et al.</i> , <i>Psychopharmacology of Adults with Attention-Deficit/Hyperactivity Disorder</i> , Primary Psychiatry, 11(7):57-62 (2004) (DX 171)
Bolden-Watson, <i>et al.</i> , <i>Blockade by Newly-Developed Antidepressants of Biogenic Amine Uptake into Rat Brain Synaptosomes</i> , Life Sciences, 52(12), 1023-1029 (1993) (DX 33)
Donnelly, <i>et al.</i> , <i>Treatment of Childhood Hyperactivity with Desipramine: Plasma Drug Concentration, Cardiovascular Effects, Plasma and Urinary Catecholamine Levels, and Clinical Response</i> , Clinical Pharmacology and Therapeutics 39(1), 72-81 (1986) (DX 75)
Fuller, R. W. and Wong, D. T., <i>Effects of Antidepressants on Uptake and Receptor Systems in the Brain</i> , Prog. Neuro-Psychopharmacol. & Biol. Psychiat., 9:485-90 (1985) (DX 29)
Gastfriend, D., <i>et al.</i> , <i>Desipramine in the Treatment of Adolescents With Attention Deficit Disorder</i> , Am. J. Psychiatry 141:7, 906-908 (1984) (DX 293)
Gastfriend, <i>et al.</i> , <i>Desipramine in the Treatment of Attention Deficit Disorder in Adolescents</i> , Psychopharmacology Bulletin, 21(1):144-145 (1985) (DX 294)
Spencer, <i>et al.</i> , <i>Desipramine Treatment of Children with Attention-deficit Hyperactivity Disorder and Tic Disorder or Tourette's Syndrome</i> , J. Am. Acad. Child Adolesc. Psychiatry, 32(2):354-360 (1993) (DX 302)
Spencer, <i>et al.</i> , <i>Effectiveness and Tolerability of Tomoxetine in Adults With Attention Deficit Hyperactivity Disorder</i> , Am. J. Psychiatry, 155:5, 693-695 (1998) (DX 169)
Spencer, <i>et al.</i> , <i>An Open-Label, Dose-Ranging Study of Atomoxetine in Children with Attention Deficit Hyperactivity Disorder</i> , Journal of Child and Adolescent Psychopharmacology, 11(3): 251-265 (2001) (STNDA000178497-STNDA000178511)
Wilens <i>et al.</i> , <i>Developmental Changes in Serum Concentrations of Desipramine and 2-Hydroxydesipramine during Treatment with Desipramine</i> , J. Am. Acad. Child Adolesc. Psychiatry, 31:4 (1992) (DX 300)
Wong, <i>et al.</i> , <i>A New Inhibitor of Norepinephrine Uptake Devoid of Affinity for Receptors in Rat Brain</i> , J. Pharmacol. Exp. Therap., 222, 61-65 (1982) (DX 137)
Zametkin, <i>et al.</i> , <i>Neurobiology of Attention Deficit Disorder With Hyperactivity: Where Have We Come in 50 Years?</i> , J. Amer. Acad. Child Adolesc. Psychiat., 26, 5:676-686 (1987) (DX 76)
Zerbe, <i>et al.</i> , <i>Clinical Pharmacology of Tomoxetine, a Potential Antidepressant</i> , J. Pharmacol. Exp., Ther., 232, 139-143 (1985) (STNDA00019490-STNDA00019494)

STPAT00082939 (DX 11)
7/19/2000 e-mail from John Heiligenstein to David Michelson regarding history of tomoxetine
STIND00012109-STIND12182 (DX 14)
Tomoxetine Hydrochloride, Protocol B4Z-MC-HFBC Safety and Pharmacokinetic Study of in Pediatric Patients with ADHD, Protocol Approved by Lilly: July 8, 1997
Ferris R.M., et al., <i>A Comparison of the Capacities of Isomers of Amphetamine, Deoxypipradol and Methylphenidate to Inhibit the Uptake of Tritiated Catecholamines into Rat Cerebral Cortex Slices, Synaptosomal Preparations of Rat Cerebral Cortex, Hypothalamus and Striatum and into Adrenergic Nerves of Rabbit Aorta</i> , J. Pharmacol. Exp. Ther. 181:407-416 (1972)
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Saletu B., et al., <i>Tandamine - a New Norepinephrine Reuptake Inhibitor, Clinical, Psychometric and Quantitative EEG Studies in Depressed Patients</i> , Int. Pharmacopsychiat., 12:137-152 (1977) (DX 34)
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STPAT00769569-STPAT00769574
Atomoxetine Drug Delivery: Line Extension Opportunities, dated 06/22/2007

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CERTIFICATE OF SERVICE

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